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Amendment No. 1 to HB1228

**Garrett
Signature of Sponsor**

AMEND Senate Bill No. 718*

House Bill No. 1228

By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 69, Chapter 10, Part 2, is amended by adding a new section thereto, as follows:

Section 69-10-226.

(a) Except as provided in subsection (b), it is unlawful for any person born after January 1, 1989, to operate any vessel subject to registration on any waters of this state unless the operator:

(1) Has successfully completed a course in safe boating that is approved by the National Association of State Boating Law Administrators (NASBLA) and accepted by the Tennessee wildlife resources agency, or an equivalent examination as determined by the Tennessee wildlife resources agency; and

(2) Has received a certificate from the Tennessee wildlife resources agency as evidence of successful completion of any National Association of State Boating Law Administrators (NASBLA) approved course accepted by the Tennessee wildlife resources agency or passage of an equivalent examination accepted by the Tennessee wildlife resources agency.

(b) The provisions of subsection (a) shall not apply to:

(1) Non-residents of Tennessee. Non-residents of Tennessee shall show proof of successful completion of an approved National Association of State Boating Law Administrators (NASBLA) course;

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(2) Renters of watercraft who have completed a Tennessee wildlife resources agency approved safety orientation;

(3) Vessels powered by engines of eight and one-half horsepower (8.5 hp) or less;

(4) Persons with operator licenses issued by the United States Coast Guard; or

(5) Operators of sail boats when under sail alone.

(c) Certificates of completion of boating safety courses required by this section:

(1) Must be in the possession of the boat operator while such boat is in operation;

(2) Shall contain a physical description of the boat operator, including, but not limited to, the operator's address, date of birth, and a unique tracking number;

(3) Shall not expire, but may be revoked by action of an applicable court; and

(4) Shall be issued for a fee of ten dollars (\$10.00). Replacement cards shall be issued for a fee of five dollars (\$5.00).

(d) A violation of the provisions of this section is a Class C misdemeanor and, in addition thereto, a court may revoke a certificate of completion of a boat safety course. It is unlawful for an owner or person directly in charge of a vessel subject to registration to authorize or permit knowingly such vessel to be operated on the waters of this state in violation of this section. The provisions of this subsection shall not apply to renters of watercraft.

SECTION 2. This act shall take effect January 1, 2005, the public welfare requiring it.

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